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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/568,019

Applicant(s)

VAN DE MEULENHOF ET AL.

Examiner

ECE HUR

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 1-4, 6-14 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 02/10/2006.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

This action is responsive to application and IDS filed on February 10, 2006 in which claims 1-17 are presented for examination. This application is a new PCT National Stage application of PCT/IB04/51444 that was filed on August 10, 2004. Applicant is claiming priority for the provisional application 60/511,136 filed on October 14, 2003.

Status of Claims

Claims 1-17 are pending in the case. Claims 1 and 12 are independent claims. Claims 1-17 are rejected under 35 U.S.C. 103(a).

Information Disclosure Statement Acknowledgement

The information disclosure statement filed on February 10, 2006 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, the information referred to therein has been considered as to the merits.

Abstract Objections

The abstract of the disclosure is objected to because they include reference characters which are not enclosed within parentheses. Correction is required. See MPEP § 608.01(b).

Drawings Objection

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the

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description: 107 and 108. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

The Claims 1-4, 6-14, and 16 are objected to because they include reference characters which are not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

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The Claims 6 and 7 are objected to because reference character is referenced differently than in the drawing, wherein in the claims "context-of-use independent subsystem" is referred to as 107 and in the drawing 107 is referencing "context of use independent".

The Claims 8, 9 and 10 are objected to because reference character is referenced differently than in the drawing, wherein in the claims "context-of-use dependent system" and "context-of-use-dependent subsystem" is referred to as 108 and in the drawing 108 is referenced as "context of use dependent".

Claim 2 is objected to because of the term "otherwise", renders the meaning of the claim indefinite and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown, US Patent 5,553,281 in view of Bensimon et al., Pub. No.: US 2004/0039822

A1.

Regarding Claim 1, Brown discloses a system for computer-assisted processing of media for an end-user. The system preferably includes a relational database management system (RDBMS) containing media content. The RDBMS structure allows users to effectively search an extensive database and identify desired content. At the same time, the adaptive designation of "in-frame" and "out-frame" pointers allows users to efficiently view, modify, annotate, store, and/or distribute to other users only the specific segments of content that are of interest. (Brown, See Abstract).

Brown discloses the claimed aspect of providing content data for an item, said content data having a type in FIG 1, wherein the system includes a media database 6 and the content stored and managed by the database typically includes portions or "clips" of motion picture footage, animation, video, still images, schematics, audio, or other media content. (Brown, Page 3, Paragraph 0055, lines 1-5). Brown discloses the claimed aspect of specifying selection criteria in FIG. 2, wherein at step 20, the end-user specifies search criteria descriptive of the particular portions of underlying media content. (Brown, Page 4, Paragraph 0040, lines 1-2). Brown discloses the claimed aspect of outputting said content data and type that satisfies said selection criteria in FIG. 2, wherein after the database search has been performed, the results of that search are communicated to the end-user at step 24, browser 4 controls workstation 2 so as to display a list of the portions of media content that satisfy the user's specified search criteria and FIG. 4 depicts an exemplary graphical user interface screen display 60 for this purpose. (Brown, Page 6, Paragraph 0030, lines 1-6).

Brown does not teach the aspect of a context of use independent system. However, Bensimon discloses the claimed aspect of a context of use independent system, wherein services or contents are or will be accessible by means of networks or terminals that have the capacity to process digital or computing data, and that access the same content provider information system, but operate according to different standards or use different interfaces with the user. (Bensimon, Page 1, Paragraph 0008). Furthermore, Bensimon discloses in FIGS. 1 and 2, a content provider entity or service provider uses a content provider information system (2) to propose access to a sizeable and variable number of users (3) using client terminals (31 to 35) via computer communication through an information network (1). (Bensimon, Page 4, Paragraphs 0049). Furthermore, Bensimon discloses that the types of terminals given as, "Personal Digital Assistant" type (PDA) like the "Palm Pilot" (trademark), are or will be able to connect to the Internet network without being compatible with the context data storage requests used by a given content provider. (Bensimon, Pages 1 and 2, Paragraph 0010). Additionally, Bensimon discloses that services or contents are or will be accessible by means of networks or terminals that have the capacity to process digital or computing data, and that access the same content provider information system, but operate according to different standards or use different interfaces with the user. (Bensimon, Page 1, Paragraph 0008).

It would be obvious to an ordinary skill in the art at the time of the invention to combine Brown's invention with Bensimon invention. The motivation to combine would

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be enable the user to use different types of devices such as "Personal Digital Assistant" type (PDA), Cellular Phone or Applications to obtain content.

Regarding Claim 2, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Brown discloses the claimed aspect of specifying a context and said outputting content data as content when the type of the content data matches the context and as content description in FIG. 2, wherein at step 24 matching content is displayed and browser 4 controls workstation 2 so as to display a list of the portions of media content that satisfy the user's specified search criteria, furthermore in FIG. 4 an exemplary graphical user interface screen display 60 is illustrated for this purpose. (Brown, Page 6, Paragraph 0030, lines 1-6).

Regarding Claim 3, most of the limitations have been met in the rejection of Claim 2. See the rejection of Claim 2 for details. Bensimon discloses the claimed aspect of specifying a context selected from the group consisting of electronic device, portable electronic device, wherein in FIGS. 1 and 2, a content provider entity or service provider uses a content provider information system (2) to propose access to a sizeable and variable number of users (3) using client terminals (31 to 35) via computer communication through an information network (1). (Bensimon, Page 4, Paragraphs 0049). Furthermore, Bensimon discloses that the types of terminals given as, "Personal Digital Assistant" type (PDA) like the "Palm Pilot" (trademark), are or will be able to connect to the Internet network without being compatible with the context data storage

requests used by a given content provider. (Bensimon, Pages 1 and 2, Paragraph 0010). Applicant should duly note that audio cassette player, CD player, DVD player, and hardware component are portable electronic devices and picture viewer and software module are part of a computer device (Bensimon, FIG.1, client terminal 31).

Regarding Claim 4, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Bensimon, discloses the claimed aspect of downloading the content data and type for an item over a network from a content source, wherein stated that the network allows computer communication between the content provider system and the client terminal by using the Internet network or a network of the Intranet type. (Bensimon, Page 3, Paragraph 0030). Furthermore, Bensimon discloses that the Internet site of one and the same content provider server may be accessible both by a conventional PC or Macintosh type micro-computer communicating with the Internet in HTTP using the TCP/IP protocol, and by a cellular telephone connecting to the Internet, but which is incapable of storing this type of context data and this connection may be made for example using the WAP protocol through a WAP Gateway using a UDP protocol when the WSP protocol battery is used, or TCP/IP for the WAP 2.0 protocol, or even by communicating via messages in character form transmitted in the SMS format. Furthermore such an Internet site may also be accessible from a wired or cellular telephone, using recognized voice commands in the form of commands codified in the voiceXML language and transmitted in TCP/IP or HTTP form to the content provider, via a gateway of the Voice Gateway

type connecting the telephone network and the Internet. (Bensimon, Page 1, Paragraph 0009).

Regarding Claim 5, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Bensimon discloses the claimed aspect of providing a proxy for the content data, wherein the receipt, by at least one context proxy, of data associated with a request for access to the content provider system from the client terminal according to the given software configuration, this data including at least a provider identification and a client identification. (Bensimon, Page 2, Paragraph 0015). Additionally, Bensimon discloses that the receipt, by at least one context proxy agent, of data associated with a response by the content provider system to the client terminal, this response including at least one request for storage of context data, this data having to be stored outside said content provider system and at its request. (Bensimon, Page 2, Paragraph 0020). Furthermore, Bensimon discloses that the process includes at least one communication step where a context proxy agent communicates, directly or indirectly, on the one hand with the content provider system via the information network, and on the other hand with the client terminal or with a mode gateway allowing the information network to communicate with this client terminal according to a given communication mode different from the one used by the information network. (Bensimon, Page 2, Paragraph 0024).

Regarding Claim 6, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Bensimon achieves the claimed aspect of providing a context-of-use independent subsystem to perform said providing step and said outputting step, wherein in FIG.1 illustrates a context independent system by providing different appliances such as, a wired or cellular telephone, using recognized voice commands in the form of commands codified in the voiceXML language and transmitted in TCP/IP or HTTP form to the content provider, via a gateway of the Voice Gateway type connecting the telephone network and the Internet. (Bensimon, Page 1, Paragraph 0009) or "Personal Digital Assistant" type (PDA) like the "Palm Pilot" (trademark), are or will be able to connect to the Internet network without being compatible with the context data storage requests used by a given content provider. (Bensimon, Pages 1 and 2, Paragraph 0010).

Regarding Claim 7, most of the limitations have been met in the rejection of Claim 6. See the rejection of Claim 6 for details. Brown discloses the claimed aspect of a content storage database to store said content data and type for an item and output therefrom content data and type that satisfy the specified selection criteria in FIG.2, at step 34, wherein a specified content saved by the end-user and then step 36 updates database 6. (Brown, Page 8, Paragraph 0045, lines 12-14). Brown discloses the claimed aspect of a content relation database to store relationships between the stored content data for an item and output therefrom relationships between stored content data that satisfy the specified selection criteria, wherein disclosed system includes a

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relational database management system (RDBMS) containing media content and the RDBMS structure allows users to effectively search an extensive database and identify desired content. Additionally, users are allowed to efficiently view, modify, annotate, store, and/or distribute to other users only the specific segments of content that are of interest. (Brown, See Abstract). Applicant should dully note that this could be applied on any subsystem and a module exists to apply the steps of storing and creating in the relational database.

Regarding Claim 8, most of the limitations have been met in the rejection of Claim 7. See the rejection of Claim 7 for details. It is obvious to an ordinary skill in the art at the time of the invention to apply this system for a context of use dependent system.

Regarding Claim 9, most of the limitations have been met in the rejection of Claim 8. See the rejection of Claim 8 for details. Brown achieves the claimed aspect of outputting step to output data and type and relationships respectively retrieved from the content storage database and the content relation database that satisfy the specified selection criteria, wherein in FIG. 2, wherein at step 20, the end-user specifies search criteria descriptive of the particular portions of underlying media content. (Brown, Page 4, Paragraph 0040, lines 1-2). Brown discloses the claimed aspect of outputting said content data and type that satisfies said selection criteria in FIG. 2, wherein after the database search has been performed, the results of that search are communicated to

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the end-user at step 24, browser 4 controls workstation 2 so as to display a list of the portions of media content that satisfy the user's specified search criteria and FIG. 4 depicts an exemplary graphical user interface screen display 60 for this purpose. (Brown, Page 6, Paragraph 0030, lines 1-6). Brown, illustrates a configuration of the media database 6 to a client computer. Applicant should duly note that could be applied to any subsystem.

Regarding Claim 10, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. It would have been obvious to one ordinary skill in the art at the time of the invention to apply this system for a context of use dependent system, because this system could be applied to any chosen device.

Regarding Claim 11, most of the limitations have been met in the rejection of Claim 10. See the rejection of Claim 10 for details. Brown achieves the claimed aspect of outputting step to output data and type and relationships respectively retrieved from the content storage database and the content relation database that satisfy the specified selection criteria, wherein in FIG. 2, wherein at step 20, the end-user specifies search criteria descriptive of the particular portions of underlying media content. (Brown, Page 4, Paragraph 0040, lines 1-2). Brown discloses the claimed aspect of outputting said content data and type that satisfies said selection criteria in FIG. 2, wherein after the database search has been performed, the results of that search are communicated to the end-user at step 24, browser 4 controls workstation 2 so as to display a list of the

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portions of media content that satisfy the user's specified search criteria and FIG. 4 depicts an exemplary graphical user interface screen display 60 for this purpose.

(Brown, Page 6, Paragraph 0030, lines 1-6). Brown, illustrates a configuration of the media database 6 to a client computer. Applicant should duly note that could be applied to any subsystem.

Regarding Claim 12, Brown discloses the claimed aspect of a method to achieve the claimed aspect of apparatus. Brown discloses the claimed aspect of a content storage database to store said content data and type for an item and output therefrom content data and type that satisfy the specified selection criteria in FIG.2, at step 34, wherein a specified content saved by the end-user and then step 36 updates database 6. (Brown, Page 8, Paragraph 0045, lines 12-14). Brown discloses the claimed aspect of a content relation database to store relationships between the stored content data for an item and output therefrom relationships between stored content data that satisfy the specified selection criteria, wherein disclosed system includes a relational database management system (RDBMS) containing media content and the RDBMS structure allows users to effectively search an extensive database and identify desired content. Additionally, users are allowed to efficiently view, modify, annotate, store, and/or distribute to other users only the specific segments of content that are of interest. (Brown, See Abstract). Applicant should dully note that this could be applied on any subsystem and a module exists to apply the steps of storing and creating in the relational database.

Regarding Claim 13 and 14, most of the limitations have been met in the rejection of Claim 12. See the rejection of Claim 12 for details. Brown achieves the claimed aspect of outputting step to output data and type and relationships respectively retrieved from the content storage database and the content relation database that satisfy the specified selection criteria, wherein in FIG. 2, wherein at step 20, the end-user specifies search criteria descriptive of the particular portions of underlying media content. (Brown, Page 4, Paragraph 0040, lines 1-2). Brown discloses the claimed aspect of outputting said content data and type that satisfies said selection criteria in FIG. 2, wherein after the database search has been performed, the results of that search are communicated to the end-user at step 24, browser 4 controls workstation 2 so as to display a list of the portions of media content that satisfy the user's specified search criteria and FIG. 4 depicts an exemplary graphical user interface screen display 60 for this purpose. (Brown, Page 6, Paragraph 0030, lines 1-6). Brown, illustrates a configuration of the media database 6 to a client computer. Applicant should duly note that could be applied to any subsystem.

Regarding Claim 15, most of the limitations have been met in the rejection of Claim 14. See the rejection of Claim 14. Bensimon discloses the claimed aspect of specifying a context selected from the group consisting of electronic device, portable electronic device, wherein in FIGS. 1 and 2, a content provider entity or service provider uses a content provider information system (2) to propose access to a sizeable and variable number of users (3) using client terminals (31 to 35) via computer .

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communication through an information network (1). (Bensimon, Page 4, Paragraphs 0049). Furthermore, Bensimon discloses that the types of terminals given as, "Personal Digital Assistant" type (PDA) like the "Palm Pilot" (trademark), are or will be able to connect to the Internet network without being compatible with the context data storage requests used by a given content provider. (Bensimon, Pages 1 and 2, Paragraph 0010). Applicant should duly note that audio cassette player, CD player, DVD player, and hardware component are portable electronic devices and picture viewer and software module are part of a computer device (Bensimon, FIG.1, client terminal 31).

Regarding Claim 16, most of the limitations have been met in the rejection of Claim 13. See the rejection of Claim 13. Bensimon, discloses the claimed aspect of downloading the content data and type for an item over a network from a content source, wherein stated that the network allows computer communication between the content provider system and the client terminal by using the Internet network or a network of the Intranet type. (Bensimon, Page 3, Paragraph 0030). Furthermore, Bensimon discloses that the Internet site of one and the same content provider server may be accessible both by a conventional PC or Macintosh type micro-computer communicating with the Internet in HTTP using the TCP/IP protocol, and by a cellular telephone connecting to the Internet, but which is incapable of storing this type of context data and this connection may be made for example using the WAP protocol through a WAP Gateway using a UDP protocol when the WSP protocol battery is used, or TCP/IP for the WAP 2.0 protocol, or even by communicating via messages in

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character form transmitted in the SMS format. Furthermore such an Internet site may also be accessible from a wired or cellular telephone, using recognized voice commands in the form of commands codified in the voiceXML language and transmitted in TCP/IP or HTTP form to the content provider, via a gateway of the Voice Gateway type connecting the telephone network and the Internet. (Bensimon, Page 1, Paragraph 0009).

Regarding Claim 17, most of the limitations have been met in the rejection of Claim 13. See the rejection of Claim 13. Bensimon discloses the claimed aspect of providing a proxy for the content data, wherein the receipt, by at least one context proxy, of data associated with a request for access to the content provider system from the client terminal according to the given software configuration, this data including at least a provider identification and a client identification. (Bensimon, Page 2, Paragraph 0015). Additionally, Bensimon discloses that the receipt, by at least one context proxy agent, of data associated with a response by the content provider system to the client terminal, this response including at least one request for storage of context data, this data having to be stored outside said content provider system and at its request. (Bensimon, Page 2, Paragraph 0020). Furthermore, Bensimon discloses that the process includes at least one communication step where a context proxy agent communicates, directly or indirectly, on the one hand with the content provider system via the information network, and on the other hand with the client terminal or with a mode gateway allowing the information network to communicate with this client terminal

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according to a given communication mode different from the one used by the information network. (Bensimon, Page 2, Paragraph 0024).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- 1) Marsh, US 20070005653 A1 , 01/04/2007 A1, "Media Content Descriptions".
- 2) Lucovsky, et al., US 20030131069 A1 , 07/10/2003, "Schema-based context service".
- 3) Hobbs, et al., US 6,826,437 , 11/30/2004, "Association of process context with configuration document for manufacturing process".
- 4) Smith, et al., US 7,124,149 , 10/17/2006, "Method and apparatus for content representation and retrieval in concept model space".
- 5) Bergman, et al., US 6,564,263, 05/13/2003, "Multimedia content description framework".
- 6) Huffman, et al., US 6,980,984, 12/27/2005, "Content provider systems and methods using structured data".

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is (571) 270-1972.

The examiner can normally be reached on Mon-Thurs 7:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Coby can be reached on 571-272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 3, 2007

Ece Hur
E.H. /e.h.


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SUPERVISORY PATENT EXAMINER